

Introduced by Senator McGuire
(Coauthor: Assembly Member Wood)

February 27, 2015

An act to add Article 1.5 (commencing with Section 21615) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to airports, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 747, as introduced, McGuire. Airports: financial assistance: grant program.

The State Aeronautics Act establishes the Aeronautics Account in the State Transportation Fund, and continuously appropriates the moneys in the account for expenditure for airport purposes by the Division of Aeronautics within the Department of Transportation and the California Transportation Commission. Existing law establishes the California Aid to Airports Program under which the department provides grants to political subdivisions for the planning, acquisition, construction, improvement, maintenance, or operation of a publicly owned airport, and to cities or counties on behalf of any privately owned, public use airport, as specified.

This bill would require the Department of Transportation to adopt and administer a grant program for the purpose of funding specified infrastructure projects to maintain and improve airport facilities and infrastructure owned or operated by a commercial service airport or general aviation airport. The bill would authorize one or more eligible airports to submit a joint application, as specified. The bill would also authorize the department to provide financial assistance for and to enter into agreements with commercial air carriers to, among other things, establish and market new or expanded service at airports with 400,000

or fewer annual enplanements and would authorize the department to use available moneys to provide financial assistance to underserved airports, as specified.

The bill would require the Division of Aeronautics to develop regulations for the department to adopt in order to implement these provisions. The bill would appropriate an unspecified sum from the Aeronautics Account in the State Transportation Fund for its purposes and would make unspecified percentage allocations to airports with annual enplanements of 1,000,000 or more, 1,000,000 or less, and to general aviation airports.

Because any violation of the State Aeronautics Act is a crime and the provisions of the bill would be within the act, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 1.5 (commencing with Section 21615) is
2 added to Chapter 4 of Part 1 of Division 9 of the Public Utilities
3 Code, to read:

4
5 Article 1.5. Local Airport Investment and Improvement Act
6

7 21615. (a) Notwithstanding Section 21602, the department
8 shall adopt and administer a grant program for purposes of
9 maintaining and improving facilities and infrastructure owned or
10 operated by a commercial service airport or general aviation airport.
11 The following infrastructure projects shall be eligible for funding
12 under this program:

13 (1) Projects included in the Airport Capital Improvement
14 Program.

15 (2) The airport master plan.

16 (3) Deferred maintenance projects.

17 (4) Airport and equipment maintenance projects.

1 (5) Emergency projects necessary to maintain consistent flight
2 service operations.

3 (6) Equipment necessary to perform airport infrastructure
4 maintenance and sustain reliable flight operations.

5 (7) Studies on subjects related to airport landside and airside
6 operations and safety, including, but not limited to, wildlife and
7 runway hazards.

8 (b) One or more eligible airports may apply for financial
9 assistance under this section by providing joint applications for
10 similar projects. Joint applications shall be accepted if airports are
11 within a similar geographic region to achieve savings by furnishing
12 service providers a single bidding opportunity.

13 (c) (1) Notwithstanding Section 21683.1, project grants may
14 be used by eligible airports to fulfill the local match requirements
15 of Federal Aviation Administration grant programs or to
16 supplement those grant programs.

17 (2) Eligible airports may submit matching grant applications to
18 the department simultaneously when the principal grant application
19 is submitted to the Federal Aviation Administration.

20 (3) Eligible airports receiving grants under this subdivision to
21 fulfill local match requirements may commence project
22 construction upon receipt by the airport of a grant assurance from
23 the Federal Aviation Administration.

24 21616. (a) The department may, pursuant to this article,
25 provide financial assistance for, and enter into agreements with,
26 commercial air carriers to do both of the following:

27 (1) Establish and market new or expanded service at airports
28 with 400,000 or fewer annual enplanements.

29 (2) Subsidize air carrier service to and from an underserved
30 airport for a period not to exceed three years.

31 (b) The department may also use moneys made available for
32 purposes of this article to do both of the following:

33 (1) Provide financial assistance to an underserved airport to
34 obtain service to and from the underserved airport.

35 (2) Provide financial assistance to an underserved airport to
36 implement measures that the airport, in consultation with the
37 department, considers appropriate to improve air service both in
38 terms of the cost of the service to consumers and the availability
39 of that service, including improving air service through marketing

1 and promotion of air service and enhanced utilization of airport
2 facilities.

3 21617. The division shall develop regulations for the
4 department to adopt in order to implement this article.

5 21618. Funds appropriated by the Legislature to the department
6 for purposes of this article shall be allocated as follows:

7 (1) ____ percent to airports with annual enplanements of
8 1,000,000 or more.

9 (2) ____ percent to airports with annual enplanements of less
10 than 1,000,000.

11 (3) ____ percent to general aviation airports.

12 SEC. 2. Notwithstanding Section 21680 of the Public Utilities
13 Code, the sum of ____ dollars (\$____) is hereby appropriated from
14 the Aeronautics Account in the State Transportation Fund to the
15 Department of Transportation for the purposes authorized by
16 Article 1.5 (commencing with Section 21615) of Chapter 4 of Part
17 1 of Division 9 of the Public Utilities Code.

18 SEC. 3. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.